

Hart, Kyle, Lott, Martin, McAnelly, Newman, Potter, Scarborough, Scott, Taylor, Weatherford, Whitaker and Wren—19.

Mr. Gage moved to make the bill the special order of the day for to-morrow morning 11 o'clock; lost.

Mr. Holland offered the following amendment:

Strike out the caption, and insert: "An act donating to actual settlers one hundred and sixty acres of land;" adopted.

On motion of Mr. Kyle, the Senate adjourned until Monday morning at 9 o'clock.

MONDAY, December 12, 1853.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of Friday last was read and adopted.

Mr. Scott presented the memorial of sundry citizens of Harrison county, asking the passage of a law prohibiting the traffic and public use of intoxicating liquors within five miles of the court-house of the town of Marshall; read and referred to the committee on State Affairs.

Mr. Guinn, from the committee on Engrossed Bills, reported the followig bills correctly engrossed:

A bill supplementary to an act entitled an act to establish the New Orleans, Texas and Pacific Railroad company, for the extension of the New Orleans, Algiers and Opelousas railway through Texas, approved February 16, 1852;

A bill to be entitled an act to establish the Christian Sabbath, and to prevent vice and immorality on the same;

A bill to be entitled an act to relinquish to the inhabitants of Ysleta, in El Paso county, a certain tract of land adjoining the town tract now held and owned by said inhabitants;

A bill to amend an act to organize county courts, approved March 16, 1848; and

A bill to be entitled an act for the relief of the inhabitants of the town of Ysleta, in the county of El Paso.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill concerning writs of error, reported the same back to the Senate with the subjoined amendment, and recommended its adoption and the passage of the bill:

In section 9, line 10, after the word "shall," strike out the remainder of the section and insert, "in all respects comply with the judgment or decree of the Supreme Court upon such writ, and well and truly pay all such damages as may be awarded

against him, her or them. And in all cases where the plaintiff in error does not give bond and security to supersede the judgment and execution thereon, he shall, before such cause shall be removed from the District Court to the Supreme Court, be required to give bond and security, to be approved by the Clerk of the District Court, and filed in the cause, for all costs attending the removal and trial of such cause in the Supreme Court."

Mr. Potter, of said committee, to whom was referred the petition of the citizens of the city of Corpus Christi, praying the amendment of the charter of said city, reported back to the Senate the following bill, and recommended its passage :

A bill supplementary to an act to incorporate the city of Corpus Christi, approved February 11th, A. D. 1852; read first time.

Mr. Hill introduced a bill for the relief of the heirs of John Short, formerly of Fayette county; read first time.

Mr. Taylor introduced a bill to incorporate the Jefferson Railroad Company; read first time.

Mr. Bryan presented the petition of the heirs of William Dickinson for relief; referred to the committee on Private Land Claims.

Mr. Bryan introduced a bill for the relief of Richard M. Collins; read first time.

Mr. Scott introduced a bill to amend an act to incorporate the Vicksburg and El Paso Railroad Company, passed February 16th, 1852; read first time.

Mr. Potter introduced a bill the better to secure costs in the Supreme Court in certain cases; read first time.

Mr. Superviele introduced a bill to authorize and regulate the surveying and patenting of colony certificates in Fisher and Miller's colony; read first time.

Mr. Durst offered the following resolution :

Resolved, That the desks in this chamber be numbered from 1 to 33; that corresponding tickets be placed in a hat, and the names of all the Senators being alphabetically called, and a ticket drawn at each name, the seats shall be apportioned as drawn; rejected.

ORDERS OF THE DAY.

A bill donating to actual settlers on vacant public domain 160 acres of land; read second time.

Mr. Jowers offered the following amendment :

Provided, That all those who have settled on the public domain since the 7th day of February, 1853, and previous to the

passage of this act, shall be permitted to perfect their titles to 320 acres of land, according to the provisions of an act supplementary to an act granting to settlers on public domain pre-emption privileges, approved February 7th, 1853; adopted.

Mr. Pedigo offered the following amendment:

Amend by inserting after the word "act," in 14th line of 3d section, the words: "within four years next thereafter;" rejected by the following vote:

YEAS—Messrs. Durst, Guinn, Kyle, Lott, Martin, Paschal, Pedigo, Potter, Taylor and Weatherford—10.

NAYS—Messrs. Allen, Bryan, Burks, Doane, Edwards, Gage, Hart, Hill, Holland, Jowers, Keenan, McAnelly, Millican, Newman, Scarborough, Scott, Sublett, Superviele, Whitaker and Wren—20.

The bill was then ordered to be engrossed.

A bill to fix and establish the per diem and mileage pay of members of the Legislature, with the amendment offered by Mr. Durst, to strike out "four" wherever it occurs, and insert "five;" read, and amendment rejected by the following vote:

YEAS—Messrs. Bryan, Doane, Durst, Guinn, Hill, Keenan, Lytle, McAnelly, McDade, Millican, Pedigo, Potter, Scarborough, Sublett and Superviele—15.

NAYS—Messrs. Allen, Burks, Edwards, Gage, Hart, Holland, Jowers, Kyle, Lott, Martin, Newman, Scott, Taylor, Weatherford, Whitaker and Wren—16.

Mr. Potter moved to strike out "four" and insert "three;" lost by the following vote:

YEAS—Messrs. Burks, Doane, Durst, Jowers, McAnelly, Millican, Pedigo, Potter, Superviele, Taylor and Wren—11.

NAYS—Messrs. Allen, Bryan, Edwards, Gage, Guinn, Hart, Hill, Holland, Keenan, Kyle, Lott, Martin, Newman, Scarborough, Scott, Sublett, Weatherford and Whitaker—18.

Mr. Scott offered the following amendment:

Insert the words "and officers" after "the per diem of the members."

Mr. Bryan moved to amend said amendment by inserting "five" in lieu of "four," wherever the same appertained to the officers; lost, and Mr. Scott's amendment adopted.

Mr. Scott moved to amend the caption, by inserting after "members" the words "and the per diem pay of officers;" adopted, and the bill ordered to be engrossed.

A bill to incorporate the Tyler and Dallas Railroad company, with the report of the committee on Internal Improvements offering amendments thereto; read and amendments adopted.

Mr. Lott offered the following amendments :

Provided, That in case the New Orleans and Texas Railroad company should not form a connection with the New Orleans, Opelousas and Great Western Railroad, in Louisiana, on the eastern boundary of Texas, then the company hereby incorporated may form such connection. And the more effectually to secure the object of this franchise, the said commissioners or board of directors, as the case may be, are authorized to stipulate land, contract with any other branch or trunk railroad company with the view to connect with the same, or to consolidate into one company, and be governed by one board of directors ; and any alienation of this said charter, immunities, privileges and donations so conferred and ceded by the provisions of said charter, with full authority on the part of the President and directors of the company into which the same may be merged, to represent this said charter in all its acts and proceedings ; provided, that said commissioners and board of directors shall, in no wise, be permitted to dispose of said charter except for the purposes of effecting the objects and purposes of the Legislature in granting said franchise, and for that consideration alone.

On motion of Mr. Jowers, the bill and amendments were laid on the table.

A bill for the relief of Larkin Adamson ; read third time and passed.

A bill to incorporate the Linden Male and Female Academy and Masonic Hall ; read second time and passed to a third reading.

A bill to incorporate New Danville Masonic Female Academy ; read second time, and, on motion of Mr. Gage, referred to the committee on Education.

Mr. Holland offered the following resolution :

Resolved, That the President of the Senate appoint a committee, to act with a like committee to be appointed on the part of the House of Representatives, to make suitable arrangements for the inauguration of the Governor and Lieutenant Governor elect ; adopted.

Messrs. Holland, Durst, Sublett, Allen and Scarborough were appointed said committee.

A bill authorizing and requiring the Commissioner of the General Landoffice to issue a patent to the assignee of James O. Rice, for lot No. 4, in block 98, in the city of Austin ; read second time, and, on motion of Mr. Scott, referred to the committee on State Affairs.

A bill to incorporate Jackson Division, No. 9, Sons of Tem-

perance; read second time, and, on motion of Mr. Keenan referred to the same committee.

A bill authorizing two copies of the seal of the Supreme Court to be made for the use of said Court; read second time and passed to a third reading.

A bill to incorporate Indian Creek Academy; read second time, and, on motion of Mr. Scott, referred to the committee on Education.

A bill to establish the Christian Sabbath, and to prevent vice and immorality on the same; read third time.

Mr. McAnelly moved to lay it on the table; lost.

It was then passed by the following vote:

YEAS—Messrs. Allen, Gage, Guinn, Hart, Hill, Holland, Jowers, Kyle, Lott, Martin, Millican, Newman, Pedigo, Scott, Taylor, Weatherford, Whitaker and Wren—18.

NAYS—Messrs. Bryan, Durst, Edwards, Keenan, McAnelly, Paschal, Scarborough, Sublett and Superviele—9.

A bill for the relief of the inhabitants of the town of Ysleta, in the county of El Paso; read third time and passed.

A bill to amend an act to organize county courts, approved March 16th, 1848; read third time and passed.

A bill to relinquish to the inhabitants of Ysleta, in El Paso county, a certain tract of land adjoining the town tract, now held and owned by said inhabitants.

On motion of Mr. Hart, laid on the table.

A bill supplementary to an act to establish the New Orleans, Texas and Pacific Railway Company, for the extension of the New Orleans, Algiers and Opelousas Railway through Texas.

On motion of Mr. Edwards, laid on the table.

A bill to incorporate the Texas Association of Dental Surgeons; read second time, and, on motion of Mr. Sublett, referred to the committee on the Judiciary.

A bill to incorporate the Mound Prairie Institute; read second time, and, on motion of Mr. Gage, referred to the same committee.

A bill to amend the fifth section of an act to regulate ferries, approved January 23d, 1850; read second time, and, on motion of Mr. Hart, referred to the committee on Roads, Bridges and Ferries.

A bill to change the name of William Larkin to William Larkin Case, and declaring him heir-at-law of Daniel M. Case and Permelia Case; read second time, and, on motion of Mr. Newman, referred to the committee on the Judiciary.

A bill to prescribe the manner in which the Governor shall

issue his proclamations; read second time, and, on motion of Mr. Gage, referred to the same committee.

A bill for the relief of Reuben Fisher and John Fisher; on motion of Mr. Hill, laid on the table.

A bill for the relief of Joab H. Harrell, Sheriff of Williamson county; on motion of Mr. Guinn, laid on the table.

On motion of Mr. Lott, the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY, Dec. 13, 1853.

The Senate was called to order pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Pedigo presented the petition of the chiefs of the tribe of Alabama Indians and sundry citizens of Polk county, asking relief for said tribe of Indians; referred to the committee on Indian Affairs.

Mr. Keenan presented the petition of James Rust for land; also the petition of John Stubblefield for land; each referred to the committee on Private Land Claims.

Mr. Martin presented the petition of sundry citizens of Hill county, asking the passage of a law legalizing the acts of W. B. M. Nicholson, as District Clerk of said county; referred to the committee on the Judiciary.

Mr. Potter, chairman of the committee on the Judiciary to whom was referred a bill to prescribe the manner in which the Governor shall issue his proclamations, reported the same back to the Senate and recommended its passage.

Mr. Potter, of said committee, reported back to the Senate a bill to incorporate Mound Prairie Institute, and recommended its passage with the following amendments:

SEC. 6 That no person shall be allowed to vend any ardent spirits within one mile of said institute, under the penalty of one hundred dollars for each and every such offence. Strike out section 9.

Mr. Potter, of said committee, also reported back to the Senate a bill to incorporate the Texas Association of Dental Surgeons, and recommended its passage with the following amendment:

Amend section 1, by inserting after the word "whatever," "not, however, to exceed in value the sum of fifty thousand dollars."